

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### Novel DNAs and Polypeptide

the specification of which is attached hereto unless the following space is checked:

☒ was filed on May 10, 2001 (I.A. Filing Date: November 10, 1999) as United States Application Serial Number 09/831,621.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

	<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1.			
2.			

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.	60/107,821	November 10, 1998
2.		

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.	PCT/US99/26788	November 10, 1999	Abandoned
2.			

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I direct that all correspondence be addressed to that Customer Number.

Customer Number: **020306**

Principal attorney or agent: Roger P. Zimmerman

Telephone number: 312-913-0001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Peter Robert Baum

Inventor's signature: Peter Robert Baum

Date: 10.3.2001

Residence: Seattle, Washington

Citizenship: United States of America

Post Office Address: 6027 34<sup>th</sup> Avenue N.E., Seattle, Washington 98115

Full name of second joint inventor: Robert Finley DuBose

Inventor's signature: Robert Finley DuBose

Date: 10-2-2001

Residence: Bellevue, Washington

Citizenship: United States of America

Post Office Address: 6151 156<sup>th</sup> Place Southeast, Bellevue, Washington 98006

Full name of third joint inventor: John E. Sims

Inventor's signature: John E. Sims

Date: 10-2-2001

Residence: Seattle, Washington

Citizenship: United States of America

Post Office Address: 4207 43<sup>rd</sup> Avenue Northeast, Seattle, Washington 98105

Full name of fourth joint inventor: Adel Youakim

Inventor's signature: Adel Youakim

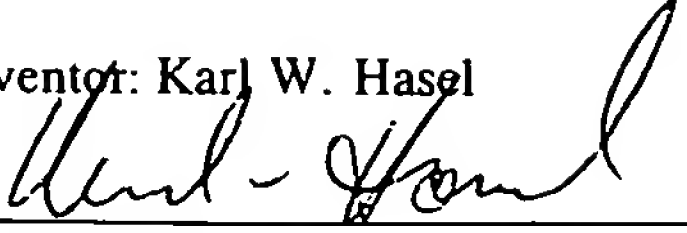
Date: 10-2-2001

Residence: Seattle, Washington

Citizenship: Canada

Post Office Address: 1940 Bonair Dr. S.W., Seattle, Washington 98116

Full name of fifth joint inventor: Karl W. Hasel

Inventor's signature: 

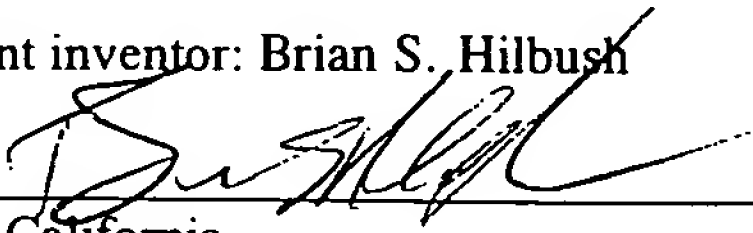
Date: Sept 4<sup>th</sup>, 2001

Residence: Solana Beach, California

Citizenship: Switzerland

Post Office Address: 247 South Nardo Avenue, Solana Beach, California 92075

Full name of fourth joint inventor: Brian S. Hilbush

Inventor's signature: 

Date: September 4<sup>th</sup>, 2001

Residence: San Diego, California

Citizenship: United States of America

Post Office Address: 5690 Willowmere Lane, San Diego, California 92130

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Hon. Commissioner of  
Patents and Trademarks

09/831,621

Atty: RPZ/tgj

Re: Applicant - Baum et al.

Case No. 98,664-B

**NOVEL DNAs AND POLYPEPTIDES**

Sir:

Please place the Patent Office receipt stamp hereon and mail to acknowledge receipt of:

- ☒ Transmittal Letter
- ☒ Petition for One-Month Extension of Time
- ☒ Copy of Notice of Missing Requirements
- ☒ Executed Declaration and Power of Attorney
- ☒ Check (for Surcharge and Extension Fee)

**Fee Enclosed**  
**\$ 240.00**

**Date Mailed: October 17, 2001**

Respectfully,  
McDonnell Boehnen Hulbert & Berghoff  
Attorney for Applicant